

Document #4540

1/10/84

Doc. # 4540

MEMORANDUM

JANUARY 10, 1985

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: STEPHEN COYLE, DIRECTOR
SUBJECT: BOARD OF APPEAL REFERRALS

Recommendations on eleven zoning matters have been prepared by Authority staff for transmittal to the Board of Appeal.

<u>Referral</u>	<u>Recommendation</u>			
	<u>Approval</u>	<u>Denial</u>	<u>Denial w/o Prejudice</u>	<u>Deferral</u>
Routine minor deviations	2		1	1
Minor dwelling unit increases	2		2	
Institutional	1			
Commercial, Office, Business		1		

We recommend denial of one case.

Z-7409: 8 Roseclair Street, Dorchester. Change occupancy from garage to storage of roofing materials. Predominantly residential neighborhood. Adamant opposition. Concerns are: commercial encroachment, severe parking and traffic problems, poor maintenance of property.

We recommend denial without prejudice in four cases.

Z-7403: 40 Winchester Street, Boston. Erect addition and change occupancy from music publishing to ten apartments and general office building. Addition would block sunlight to nearby buildings. The proposed mixed residential/commercial uses, and the number and size of units are appropriate. Petitioner should continue to work with neighborhood to achieve proposal which would not require substantial addition.

Z-7404-07: 69-73 Heath Street and 10 Wensley Street, Jamaica Plain. Petitioner has been requested to submit to the Authority architectural and development plans for his properties in the Dudley-Egleston Square areas for review and consistency with Authority's long-term plans to revitalize these major sections of the city.

Z-7408: 47-49 Royal Street, Allston. Change from two- to three-family dwelling. Off-street parking must accompany additional units on this street. Sidewalk is being used for on-street parking.

Z-7396: 308-310 Boylston Street, Boston. Change occupancy from office-retail to same and bartending school. This building is part of Parcel 1 of the Park Plaza Project. Druker Company, tentative designee as developer, has been attempting to assemble this site for past year and present plans are to begin construction later this year. For petitioner to invest in improvements at this time would be inappropriate.

We recommend approval of two minor deviations.

Z-7400- 13-15 Maryland Street, Dorchester. Subdivision of six-family
7401: duplex structure. Violations are technical. Abutter supports. Provisos: uniformity of exterior architectural treatment and that dwellings be owner-occupied.

Z-7402: 126 M Street, South Boston. Subdivision will allow petitioner to convey 1,150 square feet of land to his neighbor for yard space and garden. No adverse effect on surrounding properties.

We recommend approval of two minor dwelling unit increases.

Z-7397: 31(R) Walter Street, Roslindale. Conversion of rear hobby shop to one-family dwelling. Proposal is desirable and similar to uses of adjacent properties. Provisos for design review and that property be maintained free of any materials and vehicles not relating to the residential unit.

Z-7415- 260-268 Bunker Hill Street and 74-78 Sullivan Street, Charlestown.
7416: Erect three-story five-unit structure and three-story three-unit structure with seven-car garage. Parcel X-24, Charlestown Urban Renewal area. Sullivan Street Associates voted final designation by Authority July 12, 1984. Project enjoys community support.

We recommend approval of one institutional case.

Z-7431: 889 Harrison Avenue, Boston. Rosie's Place, Inc., tentatively designated redeveloper of former St. Phillips Church and rectory site by Authority, October 18, 1984. Existing rectory building will be renovated to accommodate meal and clothing programs, emergency overnight shelter, administrative offices. Project addresses an acute need in this area. Neighborhood support exists.

We recommend deferral of one residential addition.

Z-7399: 351 North Street, Boston. Addition to eight-apartment, two-office structure. Building vacant for many years undergoing rehabilitation. Rental units. Developer must meet with the community to discuss community impacts.

BOARD OF APPEAL REFERRALS

January 10, 1985

		<u>Hearing</u>	
1.	Z-7396	1/22/85	Abbey Group 308-310 Boylston Street, Boston
2.	Z-7397	1/22/85	Garrett F. Barry 31(r) Walter Street, Roslindale
3.	Z-7399	1/22/85	James F. Barry 351 North Street, Boston
4.	Z-7400-7401	1/22/85	Timothy R. Long 13-15 Maryland Street, Dorchester
5.	Z-7402	1/22/85	Robert Toomey 126 M Street, South Boston
6.	Z-7403	1/22/85	Robert H. Williams, Trustee Winchester Street Trust 40 Winchester Street
7.	Z-7404-7407	1/22/85	Steve Politis 69-73 Heath Street and 10 Wensley Street, Jamaica Plain
8.	Z-7408	1/22/85	David and Mildred Mac Isaac 47-49 Royal Street, Allston
9.	Z-7409	1/22/85	Pash Realty Trust 8 Roseclair Street, Dorchester
10.	Z-7415-7416	1/22/85	Boston Redevelopment Authority 260-268 Bunker Hill Street and 74-76-68 Sullivan Street Charlestown
11.	Z-7431	1/22/85	Boston Redevelopment Authority 889 Harrison Avenue, Boston

MEMORANDUM

January 10, 1985

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Stephen Coyle, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 1/22/85

Z-7396
Abbey Group
308-310 Boylston Street
Boston

Existing
at site: Six-story structure

Purpose of
petition: Change occupancy from stores and offices to same and bartending
school.

District(s) Site is in general business (B-10) district.
and Uses(s): Stores and offices are allowed uses, bartending school is condi-
tional use, in general business district.

Violation(s):

Trade, professional, or other school is conditional use.

This building is part of the Arlington-Hadassah subparcel of Parcel 1 of the Park Plaza Urban Renewal Project Area. On December 22, 1983, the Authority voted The Druker Company tentative designation as developer of a 470,000-square-foot mixed-use project which includes 308-310 Boylston Street. For the past year the developer has been attempting to assemble the site, and present plans are to begin construction later this year. For the petitioner to invest in improvements to and occupy the fifth-floor space for a bartending school would be inappropriate at this time.
Recommend denial without prejudice.

VOTED: In reference to petition Z-7396, Abbey Group, 308-310 Boylston Street, Boston, for a conditional use for change of occupancy from stores and offices to same and bartending school in a general business (B-10) district, the Boston Redevelopment Authority recommends denial without prejudice. However, this building is part of the Arlington-Hadassah subparcel of Parcel 1 of the Park Plaza Urban Renewal Project Area. On December 22, 1983, the Authority voted The Druker Company tentative designation as developer of a 470,000-square-foot mixed-use project which includes 308-310 Boylston Street. For the past year the developer has been attempting to assemble the site, and present plans are to begin construction later this year. For the petitioner to invest in improvements to and occupy the fifth-floor space for a bartending school would be inappropriate at this time.



Board of Appeal Referrals 1/10/85

Hearing: 1/22/85

Z-7397

Garrett F. Barry
31(r) Walter Street
RoslindaleExisting
at site: 1½-story structurePurpose of
petition: Change occupancy from hobby shop to one-family dwelling and
hobby shop.District(s) Site is in residential two-family (R-.5) district.
and Uses(s): One-family dwelling is allowed in residential two-family district.

Violation(s):

Lot area, frontage, and front and rear yards are insufficient.

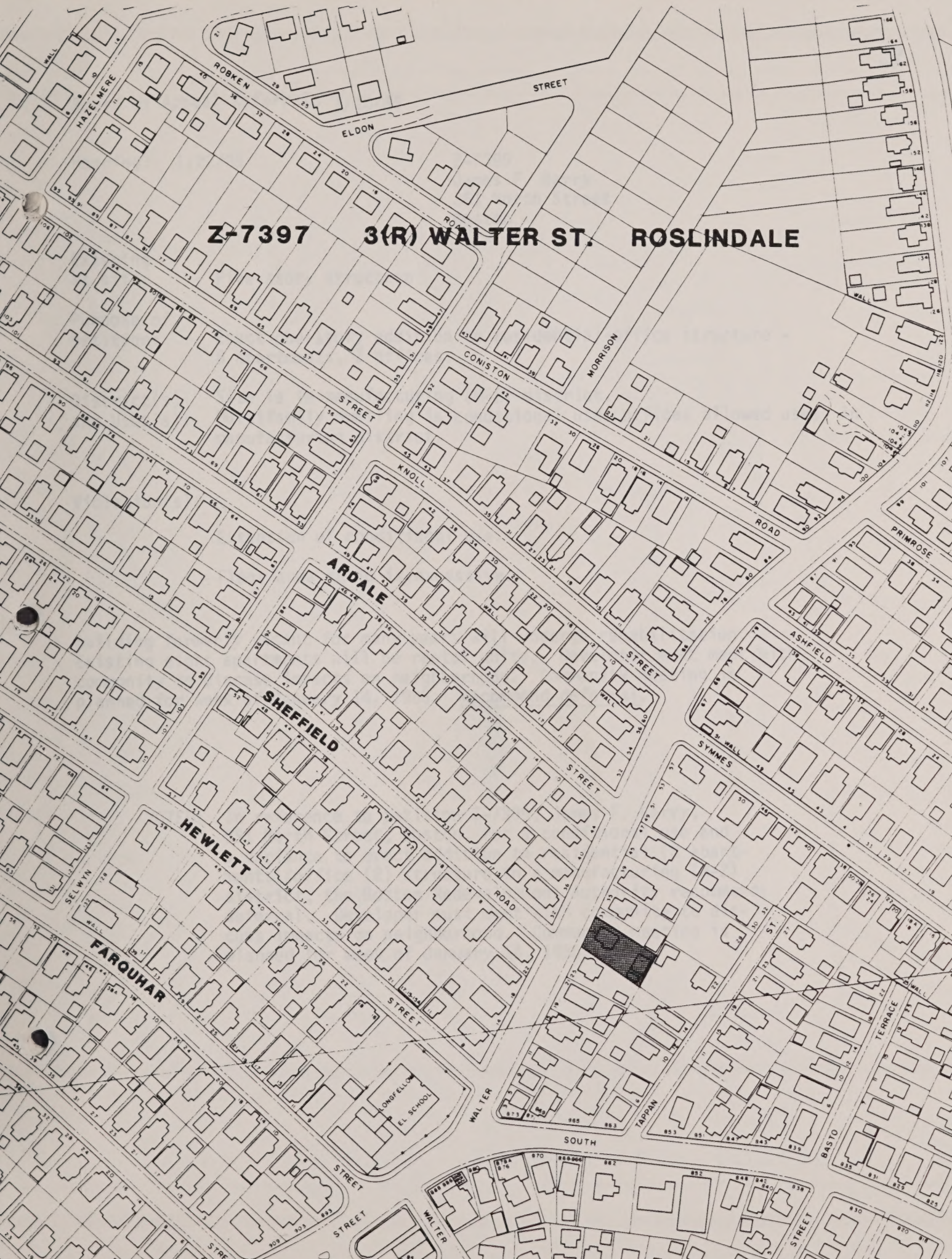
Proposal is similar to uses of adjacent properties. Residential unit is desirable and would improve neighborhood. Abutters support. Recommend approval with provisos.

VOTED: In reference to petition Z-7397, Garrett Barry, 31(r) Walter Street, Roslindale, for four variances for change of occupancy from hobby shop to one-family dwelling and hobby shop in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that property be used for residential unit only and be maintained free of any construction materials and vehicles not relating to the residential use; that plans be submitted to the Authority for design review approval. Proposal is desirable, similar to uses of adjacent properties, and would improve neighborhood.

Z-7397

3(R) WALTER ST.

ROSLINDALE



Board of Appeal Referrals 1/10/85

Hearing: 1/22/85

Z-7399
James F. Barry
351 North Street
Boston

Existing
at site: Five-story structure

Purpose of
petition: Erect one-story addition to residential-office structure -
8 apartments, 2 offices.

District(s) Site is in manufacturing (M-2) district.
and Uses(s): Multifamily dwelling is conditional use, offices allowed uses, in
manufacturing district.

Violation(s):

Extension of conditional use.

Floor area ratio is excessive.

Building formerly vacant for many years will undergo rehabilitation.
Existing eight apartments will be rental units. Developer must meet with
community to discuss impacts on neighborhood. Community meeting is
planned for week of January 14, 1985. Recommend deferral.

VOTED: In reference to petition Z-7399, James F. Barry,
351 North Street, Boston, for a conditional use and
a variance to erect addition to residential (8 apart-
ments)/office (2) structure in a manufacturing (M-2)
district, the Boston Redevelopment Authority recommends
deferral. Developer must meet with community to dis-
cuss impacts on neighborhood. Community meeting is
planned for week of January 14, 1985.



Z-7399

351 NORTH ST.

BOSTON

Board of Appeal Referrals 1/10/85

Hearing: 1/22/85

Z-7400-7401
Timothy R. Long
13-15 Maryland Street
Dorchester

Existing
at site: Three-story duplex structure

Purpose of
petition: Subdivide; legalize occupancies: two three-family dwellings.

District(s) Site is in apartment multifamily (H-1) district.
and Uses(s): Three-family dwellings are allowed in apartment district.

Violation(s):
Lot area, width, and frontage are insufficient.

Subdivision of existing six-family duplex dwelling. Violations are technical.
Abutter supports proposal. Recommend approval with provisos.

VOTED: In reference to petitions Z-7400-7401, Timothy R. Long, 13-15 Maryland Street, Dorchester, for eight variances to subdivide and to legalize occupancy for two three-family dwellings in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval with the following provisos: that a covenant requiring uniform exterior treatment be part of the deed and be recorded in the Registry of Deeds; that dwellings be owner-occupied. Subdivision of existing six-family dwelling. Violations are technical.



Z-7400-7401

13-15 MARYLAND ST. DORCHESTER

Board of Appeal Referrals 1/10/85

Hearing: 1/22/85

Z-7402
Robert Toomey
126 M Street
South BostonExisting
at site: Three-story structurePurpose of
petition: Subdivide; legalize one-family dwelling.District(s)
and Uses(s): Site is in apartment multifamily (H-1-50) district.
One-family dwelling is allowed use in apartment district.Violation(s):
Lot area is insufficient.

Subdivision will allow petitioner to convey 1150 square feet of land to his neighbor for yard space and garden. Abutters support proposal. Recommend approval.

VOTED: In reference to petition Z-7401, Robert Toomey, 126 M Street, South Boston, for variance to subdivide and to legalize as one-family dwelling in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval. Subdivision will allow petitioner to convey 1150 square feet of land to his neighbor for yard space and garden. No adverse effect on surrounding properties.



Board of Appeal Referrals 1/10/85

Hearing: 1/22/85

Z-7403
Robert H. Williams, Trustee
Winchester Street Trust
40 Winchester Street
Boston

Existing
at site: Four-story structure

Purpose of
petition: Change occupancy from music publishing to ten apartments and
general office building; erect two-story addition.

District(s) Site is in apartment multifamily (H-2) district.
and Uses(s): Apartments are allowed use, office building nonconforming use, in
apartment district.

Violation(s):

- Change in nonconforming use.
- Restricted roof structure district.
- Floor area ratio is excessive.
- Open space, rear yard, and off-street parking are insufficient.

Two-story addition to this structure, one of the largest in the neighborhood, would block sunlight to nearby buildings. However, proposed mixed residential-commercial uses and number and size of units are appropriate. Petitioner should continue to work with neighborhood to achieve proposal which would not require substantial addition. Recommend denial without prejudice.

VOTED: In reference to petition Z-7403, Robert H. Williams, Trustee, Winchester Street Trust, 40 Winchester Street, Boston, for change in nonconforming use and five variances for change of occupancy from music publishing to ten apartments and general offices and erect two-story addition in an apartment (H-2) district, the Boston Redevelopment Authority recommends denial without prejudice. Two-story addition to this structure, one of the largest in the neighborhood, would block sunlight to nearby buildings. However, proposed mixed residential-commercial uses and number and size of units are appropriate. Petitioner should continue to work with neighborhood to achieve proposal which would not require substantial addition.



Z-7403

40 WINCHESTER ST. BOSTON

Board of Appeal Referrals 1/10/85

Hearing: 1/22/85 Z-7404-7407
 Steve Politis
 69-73 Heath Street and
 10 Wensley Street
 Jamaica Plain

Existing
 at site: Four three-story structures

Purpose of
 petition: Subdivide; change occupancy at #69 from three-family dwelling
 to two-family dwelling and store.

District(s) Site is in residential three-family (R-.8) district.
 and Uses(s): Two- and three-family dwellings are allowed uses, store is forbidden
 use, in three-family district.

Violation(s):

Retail store is forbidden use.

Lot area, width, frontage, open space, and side and rear yards
 are insufficient.

Floor area ratio is excessive.

Petitioner has been requested to submit to the Authority architectural and
 development plans for his properties in the Dudley-Egleston Square areas
 for review and consistency with Authority long-term plans to revitalize
 these major sections of the city. Recommend denial without prejudice.

VOTED: In reference to petitions Z-7404-7407, Steve Politis,
 69-73 Heath Street and 10 Wensley Street, Jamaica Plain,
 for forbidden use and thirty variances to subdivide and
 change occupancy at #69 from three-family dwelling to
 two-family dwelling and store in a residential (R-.8)
 district, the Boston Redevelopment Authority recommends
 denial without prejudice. Petitioner has been requested
 to submit to the Authority architectural and development
 plans for his properties in the Dudley-Egleston Square
 areas for review and consistency with Authority long-
 term plans to revitalize these major sections of the
 city. Because of the sensitive planning issues in this
 area, this appeal should not go forward until extensive
 communication has taken place between the proponent and
 the Authority.



Z-7404-7407 69-73 HEATH ST.

10 WENSLEY ST. JAMAICA PLAIN

Board of Appeal Referrals 1/10/85

Hearing: 1/22/85 Z-7408
David and Mildred Mac Isaac
47-49 Royal Street
Allston

Existing
at site: 2½-story structure

Purpose of
petition: Change occupancy from two- to three-family dwelling.

District(s) Site is in residential two-family (R-.5) district.
and Uses(s): Three-family dwelling is forbidden use in two-family district.

Violation(s):

Dwelling converted to more families is forbidden use.

Lot area, width, and front yard are insufficient.

Height and number of stories are excessive.

Additional units on this street must be accompanied by off-street parking.
Sidewalk is being used for on-street parking. Abutter is opposed. Recommend
denial without prejudice.

VOTED: In reference to petition Z-7408, David and Mildred Mac Isaac, 47-49 Royal Street, Allston, for a forbidden use and four variances for change of occupancy from two- to three-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial without prejudice. Additional units on this street must be accompanied by off-street parking. Sidewalk is being used for on-street parking.



Z-7408

47-49 ROYAL ST. ALLSTON

Board of Appeal Referrals 1/10/85

Hearing: 1/22/85

Z-7409
Pash Realty Trust
8 Roseclaire Street
Dorchester

Existing
at site: One-story structure

Purpose of
petition: Change occupancy from garage to storage of roofing materials
and accessory offices.

District(s) Site is in apartment multifamily (H-1-50) district.
and Uses(s): Garage is legal nonconforming use; storage would be nonconform-
ing use in apartment district.

Violation(s):
Change in nonconforming use.

Roseclaire Street is predominantly residential. Neighborhood is adamantly
opposed to this proposal. Concerns are commercial encroachment, severe
parking and traffic problems, poor maintenance of property. Columbia-
Savin Hill Neighborhood Housing Service and Columbia-Savin Hill Civic
Association are also opposed. Recommend denial.

VOTED: In reference to petition Z-7409, Pash Realty Trust,
8 Roseclaire Street, Dorchester, for change in non-
conforming use for change of occupancy from garage
to storage of roofing materials and accessory offices
in an apartment (H-1-50) district, the Boston
Redevelopment Authority recommends denial. Roseclaire
Street is predominantly residential. Neighborhood is
adamantly opposed to this proposal. Concerns are
commercial encroachment, severe parking and traffic
problems, poor maintenance of property. Columbia-
Savin Hill Neighborhood Housing Service and Columbia-
Savin Hill Civic Association are also opposed.



7-7409

8 ROSECLAIR ST. DORCHESTER

Board of Appeal Referrals 1/10/85

Hearing: 1/22/85

Z-7415-7416
Boston Redevelopment Authority
260-268 Bunker Hill Street and
74-76-78 Sullivan Street
Charlestown

Existing
at site: 5,000 square feet of vacant land.

Purpose of
petition: Erect three-story five-unit apartment structure; erect three-story three-unit apartment structure with seven-car garage.

District(s)
and Uses(s): Site is in apartment multifamily (H-1-U) urban renewal area subdistrict. Apartment structures are allowed in apartment district.

Violation(s):

Floor area ratio is excessive.

Last July 12, Sullivan Street Associates were voted final designation by the Authority as ~~redeveloper~~ of Parcel X-24 in the Charlestown Urban Renewal Project Area. Project has community support. Recommend approval with proviso.

VOTED: In reference to petitions Z-7415-7416, Boston Redevelopment Authority, 260-268 Bunker Hill Street and 74-76-78 Sullivan Street, Charlestown, for two variances to erect three-story five-unit apartment structure and three-story three-unit apartment structure with seven-car garage in an apartment urban renewal area (H-1-U) subdistrict, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. Last July 12, Sullivan Street Associates were voted final designation by the Authority as ~~redeveloper~~ of Parcel X-24 in the Charlestown Urban Renewal Project Area. Dwellings are consistent with general residential character of the neighborhood. Floor area ratio violation will not have an adverse effect. Project enjoys community support.



Z-7415-7416

260-268 BUNKER HILL ST.

74-78 SULLIVAN ST.

CHARLESTOWN

Board of Appeal Referrals 1/10/85

Hearing: 1/22/85

Z-7431

Boston Redevelopment Authority
889 Harrison Avenue
Boston

Existing
at site: Three-story structure

Purpose of
petition: Change occupancy from rectory to boarding house (20 lodgers)
and erect two-story addition.

District(s)
and Uses(s): Site is in apartment multifamily urban renewal area (H-2-U)
subdistrict. Boarding house is conditional use in apartment
district.

Violation(s):

Boarding house is conditional use.

Rosie's Place, Inc., a charitable organization providing vital services to poor and homeless women and children of Boston at private expense, was tentatively designated by the Authority on October 18, 1984, as redeveloper of the former St. Philip's Church (destroyed by fire) and rectory site, Parcel SE 94. Existing rectory building will be renovated to accommodate meal and clothing programs, emergency overnight shelter, administrative offices. Project addresses an acute need in this area. Abutters, churches, organizations, and tenants have expressed overwhelming support. Recommend approval with proviso.

VOTED: In reference to petition Z-7431, Boston Redevelopment Authority, 889 Harrison Avenue, Boston, for conditional use for change of occupancy from rectory to boarding house and erect two-story addition in an apartment urban renewal area (H-2-U) subdistrict, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. Rosie's Place, Inc., a charitable organization providing vital services to poor and homeless women and children of Boston at private expense, was tentatively designated by the Authority on October 18, 1984, as redeveloper of the former St. Philip's Church (destroyed by fire) and rectory site, Parcel SE 94 of the South End Urban Renewal Project Area. Existing rectory building will be renovated to accommodate meal and clothing programs, emergency overnight shelter, administrative offices. Project addresses an acute need in the area. Abutters, churches, organizations, and tenants have expressed overwhelming support.



Z-7431

889 HARRISON AVE.

BOSTON